

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 EA-07 ISO-00 CIAE-00 COME-00 DODE-00

DOT-00 FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06

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EA/PHL:JSARTORIUS

FMC:WJSMITH

EUR/NE:NACHILLES

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R 150048Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY MANILA

AMEMBASSY LONDON

INFO USMISSION OECD PARIS

LIMITED OFFICIAL USE STATE 227497

E.O. 11652: N/A

TAGS: EWWT, RP, UK

SUBJECT: SHIPPING: PHILIPPINES PRESIDENTIAL DECREE 894

REF: A) MANILA 13288; B) STATE A-4353; C) MANILA 8567

1. SEA-LAND SERVICE ON SEPTEMBER 13 MADE "INFORMAL REQUEST" TO FEDERAL MARITIME COMMISSION (FMC) FOR ACTION AGAINST PHILIPPINES UNDER SECTION 19 OF MERCHANT MARINE ACT OF 1920 (WHICH PROVIDES FOR IMPOSITION OF COUNTER-VAILING MEASURES ON VESSELS OF NATIONS WHICH DISCRIMINATE AGAINST U.S.-FLAG SHIPPING). INITIATING ROLE OF SEA-LAND FYI ONLY AND SHOULD NOT BE DIVULGED TO GOP OFFICIALS.

2. FMC WILL STUDY EVIDENCE SUBMITTED BY SEA-LAND (CONSIDERED LIMITED OFFICIAL USE)

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CONTINUED IN PART OF MATERIAL TRANSMITTED TO EMBASSY WITH REF B)

AND QUERY OTHER U.S. CARRIERS SERVING PHILIPPINES BEFORE DETERMINING WHETHER AND HOW TO PROCEED WITH IMPLEMENTATION OF SECTION 19 REQUEST.

3. IN INFORMAL CONTACTS WITH DEPT., U.S. CARRIERS OTHER THAN SEA-LAND HAVE NOT INDICATED THAT THEY HAVE EXPERIENCED DISCRIMINATORY EFFECTS OF PD 894 TO DATE. THEY ARE APPREHENSIVE, HOWEVER, THAT GOP MAY IMPLEMENT PD 894 IN VERY NEAR FUTURE, WITH DISCRIMINATORY EFFECT ON U.S.-FLAG SHIPPING. U.S. LINES HAS BEEN INFORMED BY ITS MANILA REPRESENTATIVE THAT PHILIPPINE BOARD OF INVESTMENTS (BOI) RECENTLY CALLED MEETING TO WARN PHILIPPINE EXPORTERS AND IMPORTERS THAT THEY MUST START COMPLYING WITH PD 894.

4. ACTION REQUESTED: MANILA: BELIEVE IT WOULD BE USEFUL FOR EMBASSY TO CHECK INFORMALLY WITH LOCAL CSG EMBASSIES TO GAUGE WHETHER FEELINGS OF THEIR GOVERNMENTS REGARDING COORDINATED CSG APPROACH TO GOP ON PD 894 HAVE CHANGED SINCE REF C. DEPARTMENT WOULD ALSO WELCOME ANY COMMENT EMBASSY CAN PROVIDE ON REPORTED BOI WARNING TO EXPORTERS AND IMPORTERS (PARA 3 ABOVE) AND ITS IMPLICATIONS FOR PROSPECTS OF MODIFICATION OF PD 894 OUTLINED IN REF A.

5. ACTION REQUESTED: EMBASSY LONDON PLEASE CHECK WITH BRITISH SHIPPING OFFICIALS WHAT CONSENSUS, IF ANY, DEVELOPED AT JULY CSG MEETING RE PD 894. REF C REPORTED THAT AT JUNE CSG MEETING, DISCUSSION OF PD 894 WAS DEFERRED TO NEXT CSG MEETING IN JULY. ROBINSON

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